

JAN. 4, 2007 10:17AM

OBLON SPIVAK

PATENT TRADEMARK

DIVISION NO. 606

P. 2

January 4, 2007

2007 JAN -4 PM 4:07



UNITED STATES PATENT AND TRADEMARK OFFICE
2051 Jamieson Avenue
Suite 300
Alexandria, VA

ATTORNEYS AT LAW
KATHLEEN A. MORSBERGER
CONTROLLER
(703) 412-6494
KMORSBERGER@OBLON.COM

Attn: Refund Department

Re: Deposit Account Number 150030

Dear Sir or Madame:

Enclosed is a copy of a portion of our Deposit Account Statement of November 2006. Please review the highlighted charge on Serial Number 10/657,276, in the amount of \$180.00 on fee code number 1806.

This charge is in error as all of the references contained on the October 4, 2006 Information Disclosure Statement were first cited on the attached Japanese Office Action dated August 30, 2006 and therefore, not known for more than three months prior to the filing of the IDS.

Please review this application and kindly refund \$180.00 to deposit account number 150030. Copies of the appropriate paperwork are attached. If you have any questions, please contact Scott Lohr at (703) 412-6472. Thank you for your assistance.

Sincerely,

Adjustment date: 01/23/2007 ZJUHAR1
11/02/2006 MJACKSON 00000001 150030 10657276
01 FC:1806 180.00 CR

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

A handwritten signature in black ink, appearing to read 'S. Lohr'.

Scott Lohr

Enclosure: Deposit Account Statement

1940 DUKE STREET ■ ALEXANDRIA, VIRGINIA 22314 ■ U.S.A.
TELEPHONE: 703-413-3000 ■ FACSIMILE: 703-413-2220 ■ www.OBLON.COM

PAGE 25* RCVD AT 1/4/2007 10:13:54 AM [Eastern Standard Time]* SVR:USPTO-EFXRF-5/13* DNI:2736500* CSID:7034132220* DURATION (mm:ss):00:46

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PATENT, TRADEMARK AND COPYRIGHT LAW
AND RELATED FEDERAL AND ITC LITIGATION

WWW.OBLON.COM

TO	Office of Finance	DATE	1/4/2007
	NAME USPTO	DATE	571-273-6500
	COMPANY/FIRM	FAX #	
	NUMBER OF PAGES INCLUDING COVER: <u>6</u>	CONFIRM FAX:	<input type="checkbox"/> YES <input type="checkbox"/> NO
FROM	Scott Lohr	OUR REFERENCE	
	NAME 703-412-6472	YOUR REFERENCE	
	DIRECT PHONE#		
MESSAGE			

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Deposit Account Statement

Requested Statement Month:

November 2006

Deposit Account Number:

150030

Name:

NORMAN F. OBLON

Attention:

1940 DUKE STREET

Address:

ALEXANDRIA

City:

VA

State:

22314

Zip:

UNITED STATES

Country:

DATE	SEQ	POSTING REF	ATTORNEY DOCKET NBR	FEE CODE	AMT	BAL	
11/01	19	11516759	295988US/KQU	8007	\$40.00	\$27,456.71	
11/01	8	11362795	286696US CONT	1202	\$550.00	\$26,906.71	
11/01	20	10323833	232130US-30	1201	\$200.00	\$26,706.71	
11/01	1	10952743	259722US3RD	1806	\$180.00	\$26,526.71	
11/01	1	10890180	265958US2CRL	1203	\$360.00	\$26,166.71	
11/01	86	PAYMENT		9203	-\$10,000.00	\$36,166.71	
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X	11/06	1	10563124	279689US0XPCT	1202	\$1,150.00	\$34,476.71
X	11/06	1	11018226	263759US0	1202	-\$800.00	\$35,276.71
X	11/06	3	10325755	232090US2S	1251	-\$120.00	\$35,396.71
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X	11/06	128	0180250062	274416US/MZ	8013	\$25.00	\$35,491.71
X	11/06	150	60734752	281099US/KQU	8007	\$60.00	\$35,431.71
X	11/06	9	10577928	282602US8X PCT	1615	\$50.00	\$35,381.71
X	11/07	11	60775780	286733US/KQU	8007	\$60.00	\$35,321.71
X	11/07	17	09311148	5244-0092-2	1806	-\$180.00	\$35,501.71
X	11/08	34	60775789	286732US/KQU	8007	\$60.00	\$35,441.71
X	11/08	3	11482834	292593US0X CONT	1202	-\$250.00	\$35,691.71
X	11/08	5	11482834	292593US0XCONT	1202	\$200.00	\$35,491.71

(Translation)

Mailed: September 5, 2006

NOTIFICATION OF REASONS FOR REJECTION

Patent Application No.: Japanese Patent Application No. 2002-288017

Examiner's Notice Date: August 30, 2006

Examiner: Daigoro BANDO

3241 5C00

Attorneys for Applicant: Takehiko SUZUYE (other 6 attorneys)

Applied Sections: Section 29 (1), Section 29 (2), Section 36, and Section 37

This application is rejected on the grounds stated below. Any opinion about the rejection must be filed within 60 DAYS of the mailing date hereof.

REASONS

1. The application fails to satisfy the requirements under the main provision of Section 37 in the following respect(s).

REMARKS

The essential feature of the invention, common to (1) the invention as claimed in claims 1 to 4, (2) the invention as claimed in claims 5 and 6, (3) the invention as claimed in claims 7 and 8 and (4) the invention as claimed in claims 9 and 10 is that the motion vector or reference frame selection information of the pixel block to be encoded are determined from the motion vector or reference frame selection information of another pixel block.

However, this feature was well known as the direct mode prior to the filing date of the present application, as disclosed in References 1 and 2, for example. Thus, the inventions have no common problem to be solved which had been unsolved by the filing date of the present application and no substantial part which is the new feature corresponding to the common problem to be solved, and thus do not have the relationship defined in Section 37 (i) or (ii) of the Patent Law.

Further, the inventions are not deemed to have the relationship defined in any of Section 37 (iii) to (v) of the Patent Law.

Notification of Reasons for Rejection

Page 2/3

Since the present application does not meet the requirements of Section 37 of the Patent Law, the inventions of the claims other than claims 1 to 4 have not been examined for novelty, inventive step or other requirements.

2. The invention is unpatentable under Section 29 (1) (iii) of the Patent Law as being described in the following publication distributed in Japan or a foreign country prior to this application or having been made available to the public through electric telecommunication lines in Japan or a foreign country prior to this application.
3. The invention is unpatentable under Section 29 (2) of the Patent Law, as being such that the invention could easily have been made by a person with ordinary skill in the art to which the invention pertains, on the basis of the invention described in the following publication(s) distributed in Japan or a foreign country prior to this application or the invention made available to the public through electric telecommunication lines in Japan or a foreign country prior to this application.

REMARK(S) (refer to references cited)

Claims 1 to 4

Reasons 2 and 3

Reference 1 or 2

Note:

The method as claimed in claims 1 to 4 is indistinguishable from the ~~normal direct mode as disclosed in References 1 and 2 etc.~~

References Cited:

1. International Publication No. 01/033864
2. Jpn. Pat. Appn. KOKAI Publication No. 11-75191

- 4 The description of the claims of the present application does not satisfy the stipulation of Section 36 (6) (i) in the respects pointed out below.

REMARK(S)

While claim 1 provides the recitation "motion compensation prediction is